IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Confirmation No. 8000 Burke T. BARRETT et al. Examiner: Unassigned Serial No. 10/661,641 Art Unit: 3762 Filed: September 15, 2003

Title: Treatment of Neuropsychiatric Disorders by) **NEAR-DIAPHRAGMATIC NERVE STIMULATION**

ATTORNEY DOCKET No.: 001301.00354

Date: October 28, 2005

SECOND STATUS INQUIRY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is respectfully requested that Applicants' attorney be advised of the current status of the above-identified application as well as the anticipated date of action by the U.S. Patent and Trademark Office. A Response to the Notification of Missing Requirements was filed with the executed Declaration on February 10, 2004.

This is a Second Status Inquiry. A First Inquiry was made on August 17, 2005. A copy of the First Inquiry and stamped postcard are enclosed for your records.

Respectfully submitted,

BURKE T. BARRETT et al.

Michael D. White Reg. No. 32,795

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Burke T. BARRETT et al.

Serial No. 10/661,641

Filed: September 15, 2003

Title: TREATMENT OF NEUROPSYCHIATRIC DISORDERS BY

NEAR-DIAPHRAGMATIC NERVE STIMULATION

Confirmation No. 8000

Examiner: Unassigned

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Burke T. BARRE/TT et al. 10/661,641

Serial No.:

Filing Date:

September 15, 2003

For:

TREATMENT OF NEUROPSYCHIATRIC DISORDERS BY NEAR-

DIAPHRAGMATIC NERVE STIMULATION

AUS 1 7 2005

Please stamp to acknowledge receipt of the following DOC

001301.035 AUG 17 2005

STATUS INQUIRY 1.

DRG:MDW:rb

Date: August 17, 2005

Action Due

Due Date

orney Docket No.: 001301.00354

ROME LLP